

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

MOOG INC.,

Plaintiff,

v.

SKYRYSE, INC., ROBERT ALIN PILKINGTON,
MISOOK KIM, and DOES NOS. 1-50,

Defendants.

Case No. 1:22-cv-00187-LVJ-JJM

**NOTICE OF DEFENDANT SKYRYSE'S CONTINGENT MOTION TO DISMISS
COUNTS I, II, V, VI, IX, AND X OF PLAINTIFF'S COMPLAINT PURSUANT TO FED. R.
CIV. P. 12(b)(6)**

Please take notice that Defendant Skyryse, Inc. ("Skyryse") respectfully requests that the Court dismiss Plaintiff's Counts I, II, V, VI, IX, and X against Skyryse. Dismissal is warranted under Federal Rule of Civil Procedure 12(b)(6). Pursuant to Local Rule 7(a)(1), Skyryse intends to file reply papers in support of this motion.

In support of this motion, we submit the following document:

1. Defendant Skyryse's Memorandum of Law in Support of its Contingent Motion to Dismiss Counts I, II, V, VI, IX, and X of Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(6).

Dated: March 29, 2022

/s/ Terrance P. Flynn

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